

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION**

**RANDAL B. MCCOY,**

**Plaintiff,**

**v.**

**KAVLI, *et al.*,**

**Defendants.**

**Case No. 1:22-cv-419-ACA-GMB**

**MEMORANDUM OPINION AND ORDER**

This case is before the court on two motions by *pro se* Plaintiff Randall B. McCoy: (1) a motion for summary judgment (doc. 43) and (2) a motion for summary judgment or alternatively, for default judgment (doc. 45). In the first motion, Mr. McCoy argues that “[s]ervice [of] process was made over 60 days ago, [and] the defendants have failed to file any rebuttal[] to the complaint.” (Doc. 43 at 1–2). In his second motion, Mr. McCoy acknowledges that the defendants requested an extension on April 5, 2024 and argues that they requested a 30-day extension to file their special report by May 5, 2024, and failed to meet the deadline. (Doc. 45 at 1).

But Mr. McCoy does not acknowledge that on April 5, 2024, the court granted the defendants’ motion for an extension of time to file their special report on or before May 6, 2024. (Doc. 42; *see also* doc. 41). And the defendants timely filed their special report. (*See* doc. 44). Accordingly, the court **DENIES** Mr. McCoy’s

motions. The court **DIRECTS** the Clerk of Court to mail a copy of this order to Mr. McCoy at his address of record.

**DONE** and **ORDERED** this May 22, 2024.

A handwritten signature in black ink, appearing to read 'Annemarie', written over a horizontal line.

**ANNEMARIE CARNEY AXON**  
UNITED STATES DISTRICT JUDGE